

REMARKS / ARGUMENTS

Claims 39-44 are pending in the present application. Of these, claim 39 is independent.

Claims 39-44 were rejected as being unpatentable over Wensel et al. (U.S. Patent No. 5,895,398) in view of Chee et al (U.S. Patent No. 5,304,194).

Discussion

Applicant submits that amended independent claim 39 is allowable over Wensel in view of Chee since there is no motivation to combine Wensel and Chee in the asserted manner and, in fact, Applicant submits that the references teach away from the asserted combination.

The primary goal of Chee is entirely inconsistent with the primary goal of Wensel. Chee teaches adding fibers to an embolic coil to promote embolization and clot formation within aneurysms and the like. Applicant submits that promoting embolization using fibers as taught by Chee is completely contrary to the goal of Wensel, namely, to open blood vessels by removing clots and embolic material rather than promoting embolization at a site where blood flow is already problematic.

Promoting embolization with fibers, as taught by Chee, on the clot removal device of Wensel could be particularly problematic since new embolic material created on the fibers may not be sufficiently adhered to the fibers. As such, the newly embolized material on the fibers could become separated from the fibers and migrate downstream where the newly embolized material could lead to blockage of another vessel or promote further undesirable embolization and clot formation.

Thus, Applicant submits that promoting embolization and increasing the size of the clot using fibers as taught by Chee is wholly inconsistent with the primary goal of

Wensel, namely, to open blood vessels and remove material rather than promoting embolization and clot formation using fibers as taught by Chee.

Dependent claims 40-44 are allowable since they depend from allowable independent claim 39 and because they recite independently patentable features.


CONCLUSION

Applicant submits that all claims are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

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